

SCHEDULE D

DEFENDANTS' PROPOSED VERDICT FORM

(Sexual Harassment Claims)

I. SEXUAL HARASSMENT CLAIM - LIABILITY

1. Did Plaintiff prove by a preponderance of the evidence that she was subjected to sexual harassment while employed by Ecklin Group because of her sex?

ANSWER: Yes _____ No _____

If your answer to Question No. 1 is "No," proceed to the end of the document and sign where indicated. If your answer to Question No. 1 is "Yes," continue to Question No. 2.

2. Was the conduct between Defendant Schopf and Plaintiff consensual and entered into willingly?

ANSWER: Yes _____ No _____

If your answer to Question No. 2 is "Yes," proceed to the end of the document and sign where indicated. If your answer to Question No. 2 is "No," continue to Question No. 3.

3. Did Plaintiff suffer any tangible employment action as a result of any sexual harassment by Defendant Schopf?

ANSWER: Yes _____ No _____

If your answer to Question No. 3 is "No," proceed to the end of the document and sign where indicated. If your answer to Question No. 3 is "Yes," continue to Question No. 4.

4. Did Defendant Ecklin Group exercise reasonable care to prevent and correct promptly any sexually harassing behavior?

ANSWER: Yes _____ No _____

5. Did Plaintiff unreasonably fail to take advantage of any preventative or corrective opportunities provided by Defendant Ecklin Group or to avoid harm otherwise?

ANSWER: Yes _____ No _____

If you answered "No" to Questions 4 and 5, proceed to Question No. 7. Otherwise, proceed to Question No. 6.

6. Did Defendant Ecklin Group know or should Defendant Ecklin Group have known of the sexual harassment of Plaintiff, if any, and fail to take prompt remedial action?

ANSWER: Yes _____ No _____

7. State the amount, if any, of the damages that Plaintiff sustained as a result of sexual harassment by Defendant.

Compensatory Damages	\$ _____
Future Earnings	\$ _____
Back Pay Damages	\$ _____

Please provide this page to the jury only if, after the presentation of the evidence, the Court deems it necessary for the jury to consider the issue of punitive damages.

II. PUNITIVE DAMAGES

8. Did Plaintiff prove by a preponderance of the evidence that Ecklin Group itself acted, or failed to act, with malice or reckless indifference to her rights?

ANSWER: Yes _____ No _____

If your answer to Question No. 8 is "No," proceed to Question No. 10. If your answer to Question No. 8 is "Yes," continue to Question No 9.

9. What amount of money do you award as damages to punish Ecklin Group for acting, or failing to act, with malice or reckless indifference to Plaintiff's rights?

ANSWER: \$ _____

If you decide to make no award, please so indicate by writing "none" in the blank. If you answer Question No. 9, even if you make no ward, proceed to the end of the document and sign where indicated.

10. Did Plaintiff prove by a preponderance of the evidence that the Ecklin Group authorized the conduct of Schopf about which Plaintiff is complaining?

ANSWER: Yes _____ No _____

11. Did Plaintiff prove by a preponderance of the evidence that Schopf was unfit and that the Ecklin Group was reckless in employing him?

ANSWER: Yes _____ No _____

12. Did Plaintiff prove by a preponderance of the evidence that Schopf was acting in the scope of his employment when performing the acts about which Plaintiff is complaining?

ANSWER: Yes _____ No _____

13. Did Plaintiff prove by a preponderance of the evidence that Robert Ecklin ratified or approved the acts of Schopf towards Plaintiff about which Plaintiff is complaining?

ANSWER: Yes _____ No _____

If any of your answers to Questions No. 10-13 are "Yes," continue to Question No. 14. If all of your answers to Questions No. 10-13 are "No," proceed to the end of the document and sign where indicated.

14. What amount of money do you award as damages to punish Ecklin Group for the conduct of Schopf toward Plaintiff?

ANSWER: \$_____

If you decide to make no award, please so indicate by writing "none" in the blank.

The undersigned jurors certify that the foregoing answers to interrogatories are the unanimous action of this jury.

Dated: _____

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)